THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.28095 OF 2007

Date: 31-12-2007

Between:

Adabala Satyanarayana Murthy … Petitioner

And

1. The Government of A.P.
   Irrigation and Drainage Department,
   rep.by its Executive Engineer,
   Amalapuram.

and others … Respondents

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O R D E R:

Heard the counsel for the petitioner, the learned A.G.P. for Irrigation and the learned A.G.P. for R & B.

2. The instructions are placed before this court. It is stated by the learned A.G.P. for R&B appearing for respondents 2 and 3 that respondents 2 and 3 are not touching the subject matter of the writ petition. The same is hereby recorded. The brief notes placed before this court is also hereby recorded.

3. The writ petition is filed praying for a Writ of Mandamus, declaring the action of the respondents in taking steps to dispossess the petitioner from the property in an extent of 1.09 cents in R.S.No.385/1 of Gudapalli village of Malkipuram Mandal, East Godavari District and meddling with the same without recourse to law relating to the construction of bridge over the drainage called as "Shankaraguptam Drainage" of Malkipuram Mandal, East Godavari District as illegal, arbitrary and violative of Fundamental Rights guaranteed under the Constitution of India and consequently directing the respondents not to interfere with the possession of the said property of the petitioners in any manner and pass such other further reliefs.

4. Recording the statement made before this court that respondents are not touching the subject property at all and also the brief notes, the writ petition is disposed of. No order as to costs. It is needless to say that in the

event of the respondents claiming interest over the subject property, the respondents to follow due process of law.

P.S.NARAYANA,J

31st December, 2007.

PNV

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